

Committee Room,
Austin, Texas, January 23, 1925.
Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 4. Expressing thanks to
Mr. Charles Cason for services rendered
in regard to Texas Cowboy Statue.

Have carefully compared same and
find it correctly enrolled.

STOUT, Chairman.

Committee Room,
Austin, Texas, January 22, 1925.
Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 3. Expressing apprecia-
tion for Cowboy Statue.

Have carefully compared same and
find it correctly enrolled.

STOUT, Chairman.

TWELFTH DAY.

(Tuesday, January 27, 1925.)

The House met at 10 o'clock a. m.,
pursuant to adjournment, and was called
to order by Speaker Satterwhite.

The roll was called and the following
members were present:

Acker.	Cummings.
Albritton.	Dale.
Alexander	Daniels.
of Bastrop.	Davis of Dallas.
Alexander	Davis of Wood.
of Limestone.	DeBerry.
Atkinson.	Dielmann.
Avis.	Dinkle.
Baker of Orange.	Donnell.
Baker of Panola.	Downs.
Barker.	Dunn of Falls.
Barron.	Dunn of Hopkins.
Bartlett.	Durham.
Bateman.	Enderby.
Bean.	Faulk.
Bird.	Fields.
Blount.	Finlay.
Bobbitt.	Florence.
Boggs.	Frnka.
Brown.	Graves.
Bryant.	Gray.
Cade.	Hagaman.
Carter.	Hall.
Chitwood.	Harman.
Coffey.	Harper.
Conway.	High.
Coody.	Hollowell.
Covey.	Hoskins.
Cox of Lamar.	Jacks.
Cox of Navarro.	Jasper.

Johnson.	Rice.
Jones.	Robinson.
Justice.	Rogers.
Kayton.	Rowell.
Kemble.	Rowland.
Kenyon.	Runge.
Kittrell.	Sanford.
Laird.	Sheats.
Lane of Hamilton.	Simmons.
Lane of Harrison.	Sinks.
Lipscomb.	Smith of Nueces.
Loftin.	Smith of Travis.
Low.	Smyth.
Mankin.	Sparks.
Masterson.	Stautzenberger.
McDonald.	Stell.
McDougald.	Stout.
McFarlane.	Strong.
McGill.	Taylor.
McKean.	Teer.
McNatt.	Thompson.
Merritt.	Tomme.
Montgomery.	Veatch.
Nicholson.	Wade.
Parish.	Walker.
Pavlica.	Wallace.
Perdue.	Webb.
Petsch.	Wells.
Poage.	Westbrook.
Pool.	Wester.
Pope.	Williamson.
Powell.	Wilson.
Rawlins.	Woodruff.
Renfro.	Young.

Absent.

Bedford.	Purl.
Foster.	Shearer.
Houston.	Stevens.
Moore.	Storey.

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

A quorum was announced present.

Prayer was offered by Rev. J. C.
Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted
leave of absence on account of important
business:

Mr. Dunlap for today, on motion of
Mr. Jacks.

Mr. Simpson for today, on motion of
Mr. Lane of Harrison.

Mr. Hull for today, on motion of
Mr. Cade.

Mr. Jordan for today, on motion of Mr. Rawlins.

Mr. Pearce for today, on motion of Mr. Barker.

Mr. McBride for today, on motion of Mr. Perdue.

Mr. Bonham for today, on motion of Mr. High.

Speaker Satterwhite stated that he would excuse the following members for today and the balance of the week on account of important committee work:

Messrs. Irwin, King, Farrar.

The following members were granted leave of absence on account of sickness:

Mr. Kinnear for today, on motion of Mr. Nicholson.

Mr. Stevenson for today, on motion of Mr. Chitwood.

Mr. Amsler for today, on motion of Mr. Powell.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Masterson:

H. B. No. 237, A bill to be entitled "An Act to release for twenty-five years from the payment of taxes levied for State purposes in certain portions of Brazoria county, provided that the residents of such portion of Brazoria county shall, on or before the 1st day of October, 1927, vote an issue of bonds in an organized navigation district under the present or future laws of the State of Texas in the sum of not exceeding one million dollars (\$1,000,000) for the purpose of making a new channel or outlet for the flood water and silt of the Brazos river, and providing that if the amount of such taxes shall be sufficient to retire before the expiration of twenty-five years, balance shall revert to the State, and defining the duties of tax assessor and tax collector of Brazoria county with reference to their duties under this act, and defining this act, and exempting the City of Freeport and Road District No. 23 of Brazoria county from the provisions of this act, and to leave in full force the effect of the law passed by the Third Called Session of the Thirty-sixth Legislature, being Chapter 25, pages 17, 1920, general laws of the State; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Williamson:

H. B. No. 238, A bill to be entitled "An Act to amend Chapter 84, House bill No. 653, of the Acts of the Regular Session of the Thirty-fourth Legislature of Texas, as amended by Chapter 81, House bill No. 247, Acts of the Thirty-fifth Legislature, by a special law for the preservation of rainbow trout, in the following localities: in any water which is located in the valley of the Medina River from where the lower or diversion dam above the town of Castroville crosses the Medina River, in Medina county, Texas, to a point on the Medina River in Bandera county, Texas, which by following the meanders of the Medina River upwards toward its source, shall constitute a distance of twenty-five (25) miles, and in any of the waters which are impounded by the lower or diversion dam above the town of Castroville, in Medina county, Texas, and in any of the waters that are impounded by the upper or main dam in Medina county, Texas, which is located about four miles above said lower or diversion dam, and making it unlawful to catch and retain, or have possession of any rainbow trout which are less than fourteen inches in length, or to catch and retain or have possession of, in any one day, a total aggregate of more than five rainbow trout, or to catch or retain, or have possession of any rainbow trout for a period of two years from the date of the passage of this act, or to catch or retain, or have in possession any rainbow trout after two years from the date of the passage of this act between January 1 and June 1, of each year, and making it unlawful to sell, offer for sale, or buy any rainbow trout caught in any of said water, and providing that the special act shall be cumulative of the general laws of the State and not repeal same, and providing for a penalty for violation of said special law, and declaring an emergency, and fixing the venue of the prosecution for violations of the law."

Referred to Committee on Game and Fisheries.

By Mr. Veatch:

H. B. No. 239, A bill to be entitled "An Act relating to primary elections; providing for a preferential system for voting; prescribing the form of primary election ballots; directing the printing of certain instructions of primary election ballots; prescribing the form to be used in tallying the results and making

the returns of primary elections; and prescribing the rules for determining the nominees at all primary elections."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Rawlins:

H. B. No. 240, A bill to be entitled "An Act to amend Article 3726 of the Revised Civil Statutes of 1911; to provide for the issuance of execution for money to any county the party entitled to same may elect; and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Dielmann:

H. B. No. 241, A bill to be entitled "An Act to amend Chapter 96, Section 124, Acts of the Thirty-second Legislature, as amended by the Acts of the Thirty-sixth Legislature, Third Called Session, Chapter 61, Section 1, declaring the age for public school teachers, requiring American citizenship for school teachers, repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jacks:

H. B. No. 242, A bill to be entitled "An Act to regulate practice in the district and county courts, requiring litigants to furnish the clerk of court duplicate originals of all pleadings and other papers filed in the cause during its progress, also of all proceedings incident to an appeal or writ of error; making it the duty of the clerk of court to keep an active and dormant file under same number in each cause; prescribing what the record on appeal or writ of error shall contain, directing how it shall be prepared and authenticated, and fixing the fees allowed the clerk of court for services rendered by him."

Referred to Judiciary Committee.

By Mr. Jasper and Mr. Lane of Harrison:

H. B. No. 243, A bill to be entitled "An Act amending Article 3883, of the Revised Civil Statutes of Texas of 1911 as amended by the General Laws of the State of Texas, Acts of 1913, page 246, Section 1, and as amended by Chapter 130 of the General Laws of the Thirty-fifth Legislature, as amended by Chapter 40, Section 1 of the General Laws of the Thirty-sixth Legislature, Third Called Session, and any and all other amendments thereto; and amending Ar-

ticle 3883a of the Revised Civil Statutes of the State of Texas of 1911 as amended by the acts of the Legislature of the State of Texas, General Laws of the State of Texas of 1913, page 246, and all other amendments thereto; and amending Article 3889 of the Revised Civil Statutes of Texas of 1911 as amended by the General Laws of the State of Texas, Chapter 158 of the Thirty-sixth Legislature, and as amended by the General Laws of the State of Texas, Chapter 20 of the Thirty-sixth Legislature, Called Session, and as amended by the General Laws of the State of Texas, Chapter 181 of the Thirty-eighth Legislature, Regular Session, and all other amendments thereto; and amending Article 3890 of the Revised Civil Statutes of Texas of 1911, and all amendments thereto; and amending Article 3903 of the Revised Civil Statutes of Texas of 1911 as amended by the General Laws of the State of Texas of 1913, pages 246, 286, and as amended by the General Laws of the State of Texas, Chapter 55 of the Thirty-fifth Legislature of the State of Texas, as amended by the General Laws of the State of Texas, Chapter 32 of the Third Called Session of the Thirty-sixth Legislature, and as amended by the General Laws of the State of Texas, Chapter 96 of the Thirty-seventh Legislature, and all other amendments thereto; providing for and fixing the fees of county judges, sheriffs, county clerks, county attorneys, district attorneys, district clerks, tax collectors, tax assessors, and relating to the appointment and compensation of deputies and assistants of certain officers, so amending said articles that the same shall hereafter read as hereinafter set forth, and repealing all laws in conflict therewith and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Kittrell, Mr. Cummings, Mr. Poage, Mr. Frnka, Mr. Bartlett and Mr. Lane of Harrison:

H. B. No. 244, A bill to be entitled "An Act to amend Article 1138 of the Penal Code of Texas (said article being No. 1254 of the New Penal Code), by adding Article 1254a."

Referred to Committee on Criminal Jurisprudence.

By Mr. Loftin:

H. B. No. 245, A bill to be entitled "An Act to amend Article 5645, Chapter 4, Title 86, Revised Statutes of 1911, Chapter 152 of the General Laws of 1897, Acts of the Twenty-fifth Legislature, same being an act to protect accountants,

bookkeepers, clerks, artisans, craftsmen, operatives, servants, mechanics, quarrymen, common laborers and farm hands; to provide a lien and preserve a time of payment in lawful money of the United States, and prescribing the duty of the assignee or assignees of such person or persons, employer, firm or corporation by changing the time when a duplicate account shall be presented to employer, person, firm or corporation from thirty days to ninety days and by changing the time of filing the other duplicate account with the county clerk from thirty days to ninety days; repealing all laws and part of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Westbrook and Mr. Bonham:

H. B. No. 246, A bill to be entitled "An Act to amend Article 2643 of the Revised Civil Statutes of the State of Texas of 1911 as amended by Chapter 37 of the Acts of the Regular Session of the Thirty-eighth Legislature, setting aside all interest and income from the University permanent fund and lands for the purpose of constructing permanent improvements on the campus of the University of Texas, or at its branches, declaring void any contract for the expenditure of said funds for any other purpose, by including in the funds that may be used for such construction of permanent improvements all income proceeds of all mineral leases on University lands now in the State Treasury or hereafter received from such leases; and also to amend Section 17 of Chapter 83 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 58 of the Third Called Session of the Thirty-sixth Legislature, so as to provide that all proceeds heretofore, or hereafter paid and collected arising from activities affecting lands belonging to the University of Texas shall be credited to the available fund for such institution, and shall be held by the Board of Regents of such institution in a special building fund, and be expended by it only for the erection of buildings or other permanent improvements upon the University campus, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Cade:

H. B. No. 247, A bill to be entitled "An Act to amend Article 4627 of the

Revised Statutes of the State of Texas, so as to provide that the wife's interest in community property shall not be liable for the accommodation or surety obligations of the husband unless such obligations be also executed by the wife, and to repeal all laws in conflict herewith."

Referred to Judiciary Committee.

By Mr. Loftin:

H. B. No. 248, A bill to be entitled "An Act to amend Article 3868, Revised Civil Statutes of Texas, of 1911, fixing fees of constables for service rendered in business connected with courts of justices of the peace, so as to change the amount of certain fees provided therein and to add fee for every day the constable shall attend the justice court, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Wallace and Mr. Irwin:

H. B. No. 249, A bill to be entitled "An Act providing for the care, restraint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such persons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insanity or mental sickness or defect, the commitment and restraint of persons so afflicted; licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill persons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such persons; providing the necessary funds and fixing necessary salaries to carry out the purpose of this act, repealing provisions of the Revised Civil Statutes and all other laws in conflict herewith, and declaring an emergency."

Referred to Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Wallace and Mr. Young (by request):

H. B. No. 250, A bill to be entitled "An Act to amend Article 384 of the Penal Code of the State of Texas, enlarging the exceptions therein stated so that Article 381 and Article 382 of the Penal Code of the State of Texas shall

not apply to members of the Legislature, who, by reason of physical infirmities, require a personal attendant, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. DeBerry, Mr. Cox of Lamar, Mr. Stell and Mr. Simmons:

H. B. No. 251, A bill to be entitled "An Act to create the One Hundred and First Judicial District of Texas; to name the counties composing said district; to prescribe the time of holding term of the district court in said district; to prescribe the jurisdiction of said court and giving authority to the judges of the One Hundred and First Judicial District of Texas and the Fifth Judicial District of Texas to transfer cases from their respective courts to the other said courts in Bowie county, Texas, either in term time or in vacation; to provide for the appointment of a judge for the One Hundred and First Judicial District, and providing for the district attorney of the Sixth Judicial District to prosecute all criminal cases in the One Hundred and First Judicial District while sitting in Red River county until the expiration of his present term of office, and thereafter for the county attorney of Red River county to prosecute all criminal cases in the district court of the One Hundred and First Judicial District while sitting in Red River county; and providing that the district clerk of each of said counties shall be the clerk for the One Hundred and First Judicial District; providing for the process issued in the Sixth Judicial District to be returnable to said One Hundred and First Judicial District in Red River county, and providing that all cases pending in the district court of Red River county and in the Sixth Judicial District at the time of the taking effect of this act be and the same are hereby transferred to the One Hundred and First Judicial District Court; and providing that the Sixth Judicial District shall be composed hereafter of the counties of Lamar and Fannin; and prescribing the time of holding terms of court in said Lamar and Fannin counties; and providing in case any section of this act should be held unconstitutional then and in that event it shall not affect the validity of any of the other sections hereof; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Chitwood:

H. B. No. 252, A bill to be entitled "An Act creating and establishing Rotan Independent School District, in Fisher county, Texas; defining and describing it by metes and bounds; providing for the government thereof; providing for it to assume the outstanding school contracts and indebtedness applicable to the territory so included; vesting in it the title to all school property situated in the territory so included; providing for the government thereof as under the general laws applicable to towns and villages incorporated for school purposes only; providing for extension of boundaries thereof, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Pope, Mr. Covey and Mr. Cummings:

H. B. No. 253, A bill to be entitled "An Act amending Chapter 51, Acts of the Regular Session of the Thirty-eighth Legislature, regulating publications in newspapers inserted by public officers, agents and agencies; prescribing the rate of charge thereof; fixing the price to be charged for political advertising; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Printing.

By Mr. Durham:

H. B. No. 254, A bill to be entitled "An Act creating a pension fund for firemen and fire alarm operators in cities and towns of Texas having paid fire departments, and providing for the collection of such funds; and for the administration of this act, and for the repeal of all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Robinson:

H. B. No. 255, A bill to be entitled "An Act to repeal Chapter 7 of the Local and Special Laws of the Third Called Session of the Thirty-fifth Legislature of the State of Texas, being an act creating a more efficient road system for Madison county, providing that nothing herein shall impair or effect in any wise road bonds heretofore issued by said Madison county or any subdivision thereof under the special road law of said county or otherwise, and that nothing herein shall affect or

impair any existing contract executed or entered into by the commissioners court of Madison county pursuant to the special road law hereby repealed, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Farrar:

H. B. No. 256, A bill to be entitled "An Act to amend Article 5118, Title 75, Revised Civil Statutes of Texas, 1911, prescribing who are liable for jury service and who are exempt from jury service."

Referred to Judiciary Committee.

By Mr. Lipscomb:

H. B. No. 257, A bill to be entitled "An Act to amend Section 5 of Part II of Chapter 103 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, and Sections 8, 10, 11, 12 of Part I of said act as amended by Chapter 177 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-eighth Legislature, and further amending Part I of said act by adding thereto, following Section 19, certain new sections to be known as Sections 19a, 19b, 19c, 19d, 19e, 19f, 19h, 19i, 19j, 19k, 19l, 19m; amending part II of the Chapter 103 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-sixth Legislature, by adding thereto another section to be known as Section 11a, providing for compensation of employes, their representatives and beneficiaries, by increasing maximum compensation allowed under this act; providing that suit may be brought under this act in the county where the injury occurred, or in the county where the claimant, beneficiary or beneficiaries reside, or in any county where the association created under this act has an agent or representative; providing that the trial shall be de novo and that where an appeal is taken by an association and thereafter a judgment is rendered against the association that equals or exceeds the amount of award by the board there shall be automatically added to the judgment thirty-three and one-third per cent (33 1-3), providing for the filing of certain notices of appeal and the binding effect of the award of the board and authorizing the Commissioner of Insurance to revoke the license of the association to do business in Texas, for failure to comply with the order and award of the board; providing that the association shall make a report to the board when requested as to the manner in

which claims are investigated, handled, disposed of and adjusted; providing that it shall be the duty of the association when it carries the risk, when notified to make a report of all accidents that in appealed claims the Industrial Accident Board shall make and forward transcript of its records to the court in which the appeal is pending; that no security for costs shall be required of a claimant who appeals from the award of the Industrial Accident Board; that notice of having issued a policy of insurance under the act to the Industrial Accident Board or a certified copy thereof, shall be prima facie evidence that said policy has been issued and in full force and effect; providing for production of copy thereof at the option of the claimant and that said policy of insurance, when issued, is presumed to be in terms of said act; that any employe having elected to come under said act shall be deemed fully protected thereunder; that the proceeding of the Industrial Accident Board shall be presumed to be regular and in conformity with this act and shall be given that construction by the courts; that the terms of the act are deemed to be directory only; that if any article or part thereof be held unconstitutional it shall not affect the remainder; that in addition to the enumerated powers the Industrial Accident Board is further authorized to do all necessary acts and things to accomplish the purposes of the act; that whenever any employer shall sell or transfer the business covered by a policy of workmen's compensation insurance, he shall immediately give notice to each employe thereto and said transferee and assignee shall be obligated to see that such notice is given, otherwise note of the defenses set out in Section 1, Part I, of said act shall be available to said assignee or transferee; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Coffey and Mr. Justice:

H. B. No. 258, A bill to be entitled "An Act to amend Article 6267a of the Revised Civil Statutes of 1911, as amended by Acts 1913, page 282, Section 2; Acts 1917, Chapter 188, Section 3; Acts 1919, Chapter 86, Section 1, by striking out the date January 1, 1900, and inserting in lieu thereof the date January 1, 1920, so as to read as follows, and declaring an emergency."

By Mr. Baker of Orange (by request):

H. B. No. 259, A bill to be entitled

"An Act relative to individual pasturage rights of several owners or lessees of lands under one enclosure, whether said enclosure be by fence or natural barrier, or by either; providing for the procedure necessary to determine and regulate the pasturage rights of owners or lessees of land enclosed by fences or natural barriers, where such rights are not or cannot be fixed by agreement among themselves; providing for the writ of injunction for relief under certain conditions; providing for all things necessary and incident to such purpose and subject, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Williamson:

H. B. No. 260, A bill to be entitled "An Act to amend Articles 6754, 6758, 6759 and 6764 of the Revised Statutes of Texas of 1911, as amended by Section 1, Chapter 144 of the General Laws of the Regular Session of the Thirty-sixth Legislature, so as to provide that the ranger force, authorized to be organized for the purpose of protecting the frontier against marauding or thieving parties, and for the suppression of lawlessness and crime and to aid in the enforcement of the laws of the State of Texas in any county when requested by the sheriff of such county or in any incorporated city or town in the State when requested by the mayor of such city or town; providing that the Governor may station rangers in counties, cities or towns touching or bordering on the Rio Grande or Mexican border, without such request; providing the method of withdrawing rangers from a county or city when sent there upon request; prescribing and limiting the powers and duties of members of the ranger force, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Renfro:

H. B. No. 261, A bill to be entitled "An Act making appropriations to pay the salaries of members and employees and other maintenance expenses of the State Board of Pardon Advisers for the eight months' period, beginning January 1, 1925, and ending August 31, 1925, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Rogers:

H. B. No. 262, A bill to be entitled "An Act to create the Timpson Independent School District in Shelby county, Texas, to provide for the election of trus-

tees, for the raising of revenue, issuing bonds, maintaining public free schools, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied, providing for extension of boundaries, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Bobbitt:

H. B. No. 263, A bill to be entitled "An Act requiring every agent or inspector of any railroad or other public carrier on demand of shipper or consignor examining any shipment of fruit, vegetables, grain, livestock or other farm product, prior to the shipment, to ascertain the condition thereof, to forthwith deliver to the shipper or consignor true copies of any and all reports or certificates by him made concerning the condition thereof; making the failure to observe such requirement or the wilful making or publication of a false report as to the condition thereof a misdemeanor and providing a penalty therefor, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Kittrell:

H. B. No. 264, A bill to be entitled "An Act that at the trial of any civil suit for libel the defendant may prove for the consideration of the jury and in mitigation of damages, if any, that the plaintiff has already recovered damages or has received or agreed to receive compensation and the amount thereof, or has filed other suits or is otherwise seeking damages with respect to a libel or libels of a similar purport or effect as the libel for which such action has been brought; and in any such action, the defendant may give evidence in mitigation of damages, the circumstances and intentions under which the libelous publication was made or published by him or the libel complained of or any expression made by him of his willingness to publish a public apology, correction or retraction of any erroneous statement published by him; and providing further that in any such action for libel wherein the plaintiff seeks to recover such damages he shall be required to plead the facts constituting his cause of action for such special damages with such certainty as to exclude any other theory of damages and such damages sought, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Strong:

H. B. No. 265, A bill to be entitled "An Act establishing a State Athletic

Commission and regulating the art of boxing and sparring exhibitions or performances in the State of Texas."

Referred to Committee on State Affairs.

By Mr. Kittrell, Mr. Sinks, Mr. Wilson, Mr. Masterson, Mr. Barron, Mr. Runge and Mr. Mankin:

H. B. No. 266, A bill to be entitled "An Act to give the Supreme Court of Texas the power to make and establish all rules of civil procedure for the government of said court and the other courts of this State so as to expedite the dispatch of business therein, and to call to its assistance such judges and lawyers of the State as the Supreme Court may select to aid in formulating such rules, and to repeal such statutes of procedure as may be in force when such rules go into effect."

Referred to Judiciary Committee.

By Mr. Wester:

H. B. No. 267, A bill to be entitled "An Act creating and incorporating the Draw Independent School District in Lynn county, Texas, out of territory now comprising the Draw Common School District No. 8, in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Draw Common School District No. 8 and the assumption of all such obligations and indebtedness by the Draw Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title to all property in said district be divested out of the Draw Common School District No. 8 and vested in Draw Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict

herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

Referred to Committee on School Districts.

SENATE BILLS ON FIRST READING.

Senate bills Nos. 34, 42, 47, 48, 49, 65 and 80, received from the Senate today, were laid before the House, read severally first time, and referred to the Committee on School Districts.

RELATING TO HOUSE BILL NO. 91.

Mr. Cummings moved to reconsider the vote by which House bill No. 91 failed to pass to engrossment and asked to have the motion to reconsider spread on the Journal.

CONGRATULATING COL. JOHN McFARLANE.

Mr. Johnson offered the following resolution:

Whereas, It is well known to most of the members of this House that John McFarlane of Palestine, Anderson county, has won the distinction of being the champion cotton raiser of Texas, having raised ten bales on five acres of land without irrigating, thereby winning the one thousand dollar cash prize offered by the Dallas News and Farm Journal; and

Whereas, Mr. McFarlane by his efforts in winning this prize has not only won distinction for himself and Anderson county, but has done a real service to the entire State of Texas; and

Whereas, The press of the State has seen fit to congratulate and eulogize Mr. McFarlane on his wonderful accomplishment, which has been heralded throughout the world by every known means used for the purpose of broadcasting news; therefore be it

Resolved, That we commend and congratulate Mr. McFarlane on his accomplishment, demonstrating to the world that he is a real asset to the State and that he is justly entitled to the distinction of being crowned "King Cotton." Be it further

Resolved, That this resolution be printed in the House Journal and that the Chief Clerk be instructed to mail a copy of same to Mr. McFarlane and a copy to the mayor of Palestine and the county judge of Anderson county.

The resolution was read second time and was adopted.

TO PROVIDE FOR ADDITIONAL COMMITTEE CLERK.

Mr. Webb offered the following resolution:

Whereas, The present organization of the House of Representatives has been made so as to make the work as efficient as possible; and

Whereas, It is necessary that another committee clerk be appointed to help expedite the work of the committee; now therefore be it

Resolved, That the Speaker of the House be authorized to appoint one additional committee clerk.

Signed—Webb, Blount, Pope, Johnson, Daniels, Covey, Smith of Travis, Sanford, Cummings.

The resolution was read second time.

Mr. Young moved to table the resolution.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—81.

Acker.	Jones.
Albritton.	Justice.
Alexander	Kayton.
of Bastrop.	Kittrell.
Atkinson.	Laird.
Avis.	Lane of Harrison.
Baker of Panola.	Lipscomb.
Barker.	McDonald.
Bartlett.	McDougald.
Bateman.	McFarlane.
Bean.	McGill.
Bird.	McKean.
Boggs.	McNatt.
Bryant.	Moore.
Cade.	Pavlica.
Coffey.	Perdue.
Conway.	Pool.
Coody.	Pope.
Cox of Lamar.	Powell.
Cox of Navarro.	Rogers.
Dale.	Rowell.
Davis of Dallas.	Rowland.
Dielmann.	Runge.
Dinkle.	Shearer.
Donnell.	Simmons.
Downs.	Sinks.
Dunn of Hopkins.	Smith of Nueces.
Durham.	Sparks.
Enderby.	Stautzenberger.
Faulk.	Stell.
Fields.	Stout.
Finlay.	Taylor.
Graves.	Teer.
Harper.	Thompson.
High.	Tomme.
Hollowell.	Veatch.
Hoskins.	Wade.
Jacks.	Walker.
Jasper.	Wallace.

Westbrook.
Wester.

Williamson.
Young.

Nays—31.

Baker of Orange.	Lane of Hamilton.
Barron.	Low.
Bobbitt.	Mankin.
Carter.	Masterson.
Chitwood.	Merritt.
Covey.	Montgomery.
Cummings.	Nicholson.
Daniels.	Parish.
Davis of Wood.	Rawlins.
Dunn of Falls.	Renfro.
Foster.	Rice.
Frnka.	Sanford.
Gray.	Sheats.
Hagaman.	Smith of Travis.
Johnson.	Webb.
Kenyon.	

Present—Not Voting.

Wilson.

Absent.

Alexander	Loftin.
of Limestone.	Petsch.
Bedford.	Poage.
Blount.	Purl.
Brown.	Robinson.
DeBerry.	Smyth.
Florence.	Stevens.
Hall.	Storey.
Harman.	Strong.
Houston.	Wells.
Jordan.	Woodruff.
Kemble.	

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
King.	Stevenson.

PROVIDING CERTAIN INVESTIGATION IN REGARD TO QUARANTINE STATIONS.

Mr. Smith of Travis offered the following resolution:

Whereas, On page 56, Chapter 34, Acts Regular Session of the Thirty-sixth Legislature, a commission composed of the Governor, Attorney General and State Health Officer was authorized to sell to the Federal government the quarantine stations along the Mexican border and those located along the Gulf of Mexico; and

Whereas, On page 464, Acts of the Second Called Session of the Thirty-sixth Legislature, in a House concurrent resolution, vesting full authority

in the commission first appointed to agree on a value of the property in question with the Federal authorities and to arrange sale of same; and

Whereas, No payments have been made for said property and as all payments by the Federal government are to be deposited to the general revenue of the State; therefore be it

Resolved by this House, That the Speaker appoint a committee of five members to investigate the status of the whole matter and make recommendations as to the best course to pursue to close up the matter or take proper steps to have the property returned to the State and to report its findings and recommendations to this House.

Signed—Smith of Travis, Smyth, Coffey, Atkinson, Bird, Dunn of Hopkins, Bartlett, Lipscomb, Poage, Moore, Cox of Lamar, Davis of Dallas, Davis of Wood, Taylor, Westbrook, High, Albritton, Hagaman, Perdue, Sheats, Jasper, Harman, McFarlane, Avis, Harper, Shearer, Nicholson, Baker of Orange, Montgomery, Durham, Kenyon, Lane of Hamilton, Bobbitt, Boggs, Farrar, Dinkle, Wilson, Thompson, Carter, Donnell, McKean.

The resolution was read second time.

On motion of Mr. Teer the resolution was referred to the Committee on Public Health.

RELATING TO STATE FILING AND ACCOUNTING SYSTEM.

Mr. Donnell offered the following resolution:

Whereas, Hon. Lon A. Smith, former State Comptroller, has indicated in statements contained in his annual report, and by other means, that the State's accounting and filing systems are wholly inadequate, and that they cost more and serve less than a modern system would; and

Whereas, This official and others have pointed out that they being cognizant of these shortcomings, have unsuccessfully tried to correct the faults, because of limited appropriation and the lack of a central agency to supervise and coordinate the various activities of this department; and

Whereas, It is conclusively shown that the system of accounting as outlined by the statutes many years ago, has been put into practice only in part, and even though they had been followed the statutes would not provide a system that would be adequate for our present day methods; and

Whereas, It appears that certain valuable records of the State's business are being filed in a manner that will cause

them to be eventually lost or destroyed; therefore be it

Resolved, That a committee consisting of three members of the House be appointed by the Speaker of the House, which committee shall be instructed to employ a certified public accountant of wide practical experience, and such other help as they may deem necessary to assist them, and to immediately make a survey of the State's accounting and filing methods, and to report back to this body during this session bills covering necessary legislation to perfect the accounting and filing systems needed; be it further

Resolved, That an appropriation, not to exceed \$1,000 be, and it is hereby appropriated, to be paid out of the contingent funds of the House, for the purpose of employing expert help as mentioned above.

The resolution was read second time.

On motion of Mr. Laird the resolution was referred to the Committee on Appropriations.

HOUSE BILL NO. 139 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 139, A bill to be entitled "An Act providing for the development and improvement of navigation of the inland coastal waters of this State pursuant to Section 59 of Article XVI of the State Constitution; providing for the preservation and conservation of inland and coastal waters of this State under said constitutional provision; providing for navigation districts; providing for the raising of the necessary funds, the issuance of bonds and the levying and collection of necessary taxes for such purposes; providing all things necessary and incident to such purpose and subject."

The bill having been read second time on yesterday.

House bill No. 139 was then passed to engrossment.

HOUSE BILL NO. 139 ON THIRD READING.

Mr. Masterson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.	Kemble.
Albritton.	Kenyon.
Alexander	Kittrell.
of Bastrop.	Laird.
Alexander	Lane of Harrison.
of Limestone.	Lipscomb.
Atkinson.	Low.
Baker of Orange.	Mankin.
Baker of Panola.	Masterson.
Barker.	McDonald.
Barron.	McDougald.
Bartlett.	McFarlane.
Bean.	McKean.
Bird.	Merritt.
Bobbitt.	Montgomery.
Boggs.	Moore.
Cade.	Nicholson.
Carter.	Pavlica.
Chitwood.	Petsch.
Coffey.	Poage.
Conway.	Pope.
Coody.	Powell.
Cox of Navarro.	Rawlins.
Dale.	Renfro.
Davis of Dallas.	Rice.
Davis of Wood.	Robinson.
Dielmann.	Rogers.
Donnell.	Rowell.
Downs.	Rowland.
Dunn of Hopkins.	Runge.
Durham.	Shearer.
Enderby.	Sheats.
Faulk.	Sinks.
Fields.	Smith of Nueces.
Finlay.	Smith of Travis.
Florence.	Smyth.
Foster.	Sparks.
Frnka.	Stautzenberger.
Graves.	Stell.
Gray.	Taylor.
Hagaman.	Teer.
Hall.	Thompson.
Harman.	Tomme.
Harper.	Veatch.
Hollowell.	Walker.
Hoskins.	Wallace.
Jacks.	Webb.
Jasper.	Westbrook.
Johnson.	Williamson.
Jones.	Wilson.
Justice.	Young.
Kayton.	

Nays—13.

Avis.	Lane of Hamilton.
Bryant.	McGill.
Cox of Lamar.	Parish.
Cummings.	Perdue.
Daniels.	Strong.
Dunn of Falls.	Wester.
High.	

Present—Not Voting.

Bateman.

Absent.

Bedford.

Blount.

Bonham.	Purl.
Brown.	Sanford.
Covey.	Simmons.
DeBerry.	Stevens.
Dinkle.	Storey.
Houston.	Stout.
Loftin.	Wade.
McNatt.	Wells.
Pool.	Woodruff.

Absent—Excused.

Amsler.	Kinnear.
Dunlap.	Maxwell.
Farrar.	McBride.
Hull.	Pearce.
Irwin.	Raymer.
Jordan.	Simpson.
King.	Stevenson.

The Speaker then laid House bill No. 139 before the House on its third reading and final passage.

The bill was read third time.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 139 by striking out Section 47.

On motion of Mr. Masterson the amendment was tabled.

Mr. Perdue offered the following amendment to the bill:

In line 34 strike out "revising" and insert "residing."

The amendment was adopted.

House bill No. 139 was then passed by the following vote:

Yeas—108.

Acker.	Davis of Wood.
Albritton.	DeBerry.
Alexander	Donnell.
of Bastrop.	Downs.
Alexander	Dunn of Falls.
of Limestone.	Dunn of Hopkins.
Atkinson.	Enderby.
Avis.	Faulk.
Baker of Orange.	Fields.
Baker of Panola.	Finlay.
Barker.	Florence.
Barron.	Foster.
Bartlett.	Frnka.
Bateman.	Graves.
Bean.	Gray.
Bird.	Hagaman.
Brown.	Hall.
Bryant.	Harman.
Cade.	Harper.
Carter.	High.
Chitwood.	Hollowell.
Coffey.	Hoskins.
Conway.	Jacks.
Coody.	Jasper.
Cox of Navarro.	Jones.
Dale.	Justice.
Davis of Dallas.	Kayton.

Kenyon.	Rice.
Kittrell.	Robinson.
Laird.	Rogers.
Lane of Hamilton.	Rowell.
Lane of Harrison.	Rowland.
Loftin.	Runge.
Low.	Sanford.
Mankin.	Sheats.
Masterson.	Sinks.
McDonald.	Smith of Travis.
McDougald.	Smyth.
McFarlane.	Sparks.
McGill.	Stautzenberger.
McKean.	Stell.
McNatt.	Strong.
Merritt.	Taylor.
Montgomery.	Teer.
Moore.	Thompson.
Nicholson.	Tomme.
Parish.	Veatch.
Pavlica.	Walker.
Perdue.	Wallace.
Petsch.	Webb.
Poage.	Westbrook.
Pope.	Wester.
Powell.	Williamson.
Rawlins.	Wilson.
Renfro.	Young.

Nays—4.

Boggs.	Daniels.
Cummings.	Purl.

Present—Not Voting.

Kemble.	Wade.
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Absent.

Bedford.	Lipscomb.
Blount.	Pool.
Bobbitt.	Shearer.
Covey.	Simmons.
Cox of Lamar.	Smith of Nueces.
Dielmann.	Stevens.
Dinkle.	Storey.
Durham.	Stout.
Houston.	Wells.
Johnson.	Woodruff.

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

HOUSE BILL NO. 19, ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 19, A bill to be entitled

"An Act reorganizing the Thirtieth Judicial District by amending subdivision 30, Article 30, of the Revised Statutes of 1911, as amended to hereinafter read as follows, and declaring an emergency."

The bill having heretofore been read second time, with (committee) amendment by Mr. McFarlane pending.

Question then recurring on the (committee) amendment, it was adopted.

House bill No. 19 was then passed to engrossment.

HOUSE BILL NO. 19 ON THIRD READING.

Mr. McFarlane moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Acker.	Hall.
Albritton.	Harper.
Alexander	High.
of Bastrop.	Hollowell.
Alexander	Hoskins.
of Limestone.	Jacks.
Baker of Orange.	Jasper.
Baker of Panola.	Jones.
Barron.	Kayton.
Bartlett.	Kemble.
Bean.	Kenyon.
Bird.	Kittrell.
Bobbitt.	Laird.
Boggs.	Lane of Hamilton.
Brown.	Lane of Harrison.
Cade.	Loftin.
Carter.	Mankin.
Chitwood.	Masterson.
Coffey.	McDonald.
Conway.	McDougald.
Coody.	McFarlane.
Covey.	McGill.
Cox of Lamar.	McKean.
Cox of Navarro.	McNatt.
Cummings.	Montgomery.
Dale.	Moore.
Daniels.	Nicholson.
Davis of Dallas.	Parish.
Donnell.	Pavlica.
Downs.	Perdue.
Dunn of Falls.	Petsch.
Dunn of Hopkins.	Pope.
Enderby.	Powell.
Faulk.	Purl.
Fields.	Rawlins.
Finlay.	Robinson.
Foster.	Rogers.
Frnka.	Rowell.
Graves.	Rowland.
Gray.	Runge.
Hagaman.	Sanford.

Shearer.	Tomme.
Sheats.	Veatch.
Sinks.	Wade.
Smith of Nueces.	Walker.
Smith of Travis.	Wallace.
Sparks.	Webb.
Stautzenberger.	Westbrook.
Stell.	Wester.
Strong.	Williamson.
Taylor.	Wilson.
Teer.	Young.
Thompson.	

Nays—1.

Low.

Present—Not Voting.

Justice.	Stout.
Renfro.	

Absent.

Atkinson.	Houston.
Avis.	Johnson.
Barker.	Lipscomb.
Bateman.	Merritt.
Bedford.	Poage.
Blount.	Pool.
Bryant.	Rice.
Davis of Wood.	Simmons.
DeBerry.	Smyth.
Dielmann.	Stevens.
Dinkle.	Storey.
Durham.	Wells.
Florence.	Woodruff.
Harman.	

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

The Speaker then laid House bill No. 19 before the House on its third reading and final passage.

The bill was read third time.

Mr. McFarlane offered the following (committee) amendment to the bill:

Amend House bill No. 19 by striking out everything above the enacting clause and inserting in lieu thereof the following:

"H. B. No. 19, A bill to be entitled 'An Act reorganizing the Thirtieth Judicial District by amending subdivision 30, Article 30, of the Revised Civil Statutes of 1911, as amended, and declaring an emergency'."

The amendment was adopted.

House bill No. 19 was then passed by the following vote:

Yeas—103.

Acker.	Kenyon.
Albritton.	Kittrell.
Alexander	Laird.
of Bastrop.	Lane of Hamilton.
Alexander	Lane of Harrison.
of Limestone.	Loftin.
Avis.	Mankin.
Baker of Orange.	Masterson.
Baker of Panola.	McDonald.
Barker.	McDougald.
Barron.	McFarlane.
Bartlett.	McGill.
Bateman.	McKean.
Bean.	McNatt.
Bird.	Montgomery.
Bobbitt.	Moore.
Boggs.	Nicholson.
Brown.	Parish.
Bryant.	Pavlica.
Cade.	Perdue.
Carter.	Petsch.
Chitwood.	Poage.
Coffey.	Pope.
Conway.	Powell.
Covey.	Purl.
Cox of Lamar.	Rawlins.
Cox of Navarro.	Robinson.
Cummings.	Rogers.
Dale.	Rowell.
Daniels.	Runge.
Davis of Wood.	Sanford.
Donnell.	Sheats.
Downs.	Sinks.
Dunn of Falls.	Smith of Nueces.
Dunn of Hopkins.	Smith of Travis.
Enderby.	Sparks.
Faulk.	Stautzenberger.
Fields.	Stell.
Florence.	Strong.
Foster.	Taylor.
Frnka.	Teer.
Graves.	Thompson.
Gray.	Tomme.
Hagaman.	Veatch.
Hall.	Walker.
Harper.	Wallace.
High.	Webb.
Hollowell.	Westbrook.
Hoskins.	Wester.
Jacks.	Williamson.
Johnson.	Wilson.
Kayton.	Young.
Kemble.	

Nays—1.

Coody.

Present—Not Voting.

Justice.	Stout.
Lipscomb.	Wade.
Renfro.	

Absent.

Atkinson.	Davis of Dallas.
Bedford.	DeBerry.
Blount.	Dielmann.

Dinkle.	Rice.
Durham.	Rowland.
Finlay.	Shearer.
Harman.	Simmons.
Houston.	Smyth.
Jasper.	Stevens.
Jones.	Storey.
Low.	Wells.
Merritt.	Woodruff.
Pool.	

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

HOUSE BILL NO. 14 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act to define and prohibit bucket shops and dealings therein; to regulate contracts for future delivery of cotton, etc.; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violation of this act; and to repeal Articles 536 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas."

The bill was read second time.

Mr. Boggs offered the following amendment to the bill:

Amend Section 2 by adding at the end of Section 2 the following: "Provided further, that all contracts as defined in Section 1 hereof where it is not contemplated by the parties thereto that there shall be an actual delivery of the commodities sold or bought shall be unlawful."

The amendment was adopted.

(Pending consideration of the bill, Mr. Wade occupied the chair temporarily.)

(Speaker in the chair.)

Mr. McGill offered the following amendment to the bill:

Amend by substituting the word "valid" for "void" in Section 9, line 31. The amendment was adopted.

Mr. Coffey offered the following amendment to the bill:

Amend Section 7 by striking out after laws the words "as are usual for such institutions," and insert in lieu thereof

the words, "of Texas and of the United States."

Signed—Rogers, Coffey.

The amendment was adopted.

On motion of Mr. Hall, further consideration of the bill was postponed until 3 o'clock p. m. tomorrow.

HOUSE BILL NO. 44 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 44, A bill to be entitled "An Act to prohibit any teacher who has not paid his poll tax from teaching in any school in this State that is supported by local or State tax, and declaring an emergency."

The bill was read second time.

Mr. Graves offered the following (committee) amendments to the bill:

Committee Amendment No. 1.

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. It shall be unlawful for any person who is subject to pay a poll tax under the laws of this State, to teach in any school of the State that is supported or partly supported by local or State tax, without paying said poll tax.

"Section 2. Any person violating any provision of this act shall forfeit his right to receive his salary, or any part of his salary until said poll tax is paid; provided, however, that for the purposes of this act any such teacher may pay such poll tax, at any time during the year, whether before or after making a teaching contract."

Mr. Frnka offered the following amendment to the (committee) amendment:

Amend (committee) amendment No. 1 to House bill No. 44, page 2, Section 1, lines 20 and 21, by striking out all of line 20 and the words "local or State tax" and insert in lieu thereof the following: "Public school, State College or University of the State."

The amendment to the amendment was adopted.

Mr. Dunn of Hopkins offered the following amendment to the amendment.

Add to Section 1, the following: "It shall also be unlawful for any person subject to pay a poll tax to draw a salary from the State who has not paid his or her poll tax," the caption of the bill to be changed to conform.

The amendment was adopted.

Mr. Sinks offered the following amendment to the bill:

Amend House bill No. 44 by striking out the enacting clause.

Mr. Jacks moved the previous question on the pending amendments to the bill and the main question was ordered.

Question recurring on the amendment by Mr. Sinks striking out the enacting clause of the bill, it was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to pass

S. B. No. 10, A bill to be entitled "An Act providing for the suspension of the sentence in convictions for misdemeanors and providing for the procedure therein," with amendments.

Has passed

S. B. No. 50, A bill to be entitled "An Act validating Common School District No. 27 of Gaines county, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district, and declaring an emergency."

S. B. No. 84, A bill to be entitled "An Act to adopt and establish the Revised Civil Statutes of the State of Texas."

S. C. R. No. 11, Relating to the provision of House bill No. 27, passed during Regular Session of the Thirty-sixth Legislature, providing for the appointment of a committee for purpose of consummating the terms and provision provided for in bill.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Harman, the House, at 12 o'clock m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

RELATING TO DEATH OF MRS. CHAS. G. THOMAS.

The Speaker laid before the House and had read the following telegram:

Dallas, Texas, January 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives, Austin, Texas.

My wife passed away here today. Funeral at Lewisville Wednesday afternoon.

CHAS. G. THOMAS.

Mr. Teer moved that the Speaker of the House be instructed to appoint a committee of five members of the House to draft message and resolution and wire same to Hon. Chas. G. Thomas.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Teer, Wallace, Hall, Barker, Alexander of Limestone and Davis of Dallas.

PROVIDING FLORAL OFFERING TO BE SENT TO FUNERAL OF MRS. CHAS. G. THOMAS.

Mr. Shearer offered the following resolution:

Whereas, The Speaker has just appointed a committee to draft suitable resolutions on the death of Mrs. Chas. G. Thomas, wife of our distinguished friend, Chas. G. Thomas; therefore be it

Resolved, That the committee just appointed be authorized to procure a suitable floral offering for the House and be paid for out of the contingent expense of the House.

Signed—Shearer, Veatch, Smith of Travis.

The resolution was read second time and was adopted unanimously.

HOUSE BILL NO. 63 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 63, A bill to be entitled "An Act authorizing the creation of a junior college district; providing for the election of trustees for said district, naming the term of office, providing how vacancies may be filled, the organization of said trustees and the election of officers; providing for the issuance of bonds for said district and authorizing the assessing and collecting of taxes, preparing budgets and providing for the payment of all accounts and expenses; authorizing the board of trustees to make rules and regulations governing courses of study; providing compensation for trustees, and removal from

office and the selection of successors, defining the limits of such district and providing for two or more counties to form such a district and the election of trustees thereunder; repealing all laws and parts of laws in conflict with this measure, and declaring an emergency."

The bill having heretofore been read second time.

On motion of Mr. Nicholson the bill was laid on the table subject to call.

HOUSE BILL NO. 80 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 80, A bill to be entitled "An Act to amend paragraph No. 4 of Article 1422, Title 17, Chapter 18, of the Penal Code of Texas, 1911, relating to swindling, making certain facts prima facie evidence, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Cummings pending.

On motion of Mr. Williamson, the bill was postponed until 4:15 o'clock p. m. today.

HOUSE BILL NO. 59 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 59, A bill to be entitled "An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1, of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 70 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 70, A bill to be entitled "An Act to amend Article 695a of the Penal Code of the State of Texas, relating to the pollution of water courses and other bodies of water, and declaring an emergency."

The bill was read second time.

On motion of Mr. Nicholson, the bill was laid on the table subject to call.

HOUSE BILL NO. 85 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 85, A bill to be entitled "An Act providing for the appointment of assistant district attorneys and a special investigator in any judicial district consisting of more than one county, in any county in such district having a population in excess of 70,000, and providing for their salaries and the manner of their payment, and declaring an emergency."

The bill was read second time.

On motion of Mr. Bryant, the bill was recommitted to the Judiciary Committee.

HOUSE BILL NO. 103 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 103, A bill to be entitled "An Act to prevent fraud in the selling and repairing of mattresses, sleeping pads, quilts and comforts."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 130 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 130, A bill to be entitled "An Act to amend Section 1, Chapter 77, General Laws of the Thirty-eighth Legislature, Regular Session, providing for the omission of Houston county, and declaring an emergency."

The bill was read second time.

Mr. Dielmann offered the following amendment to the bill:

Amend House bill No. 130 by adding in line 21 after the word "Lampasas," the word "Bexar."

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 130 was passed to engrossment by the following vote:

Yeas—57.

Albritton.	Bedford.
Alexander	Bird.
of Bastrop.	Bryant.
Baker of Panola.	Cade.
Barron.	Chitwood.
Bateman.	Coffey.

Dale.	Merritt.
Donnell.	Montgomery.
Downs.	Moore.
Dunn of Falls.	Parish.
Dunn of Hopkins.	Perdue.
Enderby.	Poage.
Fields.	Renfro.
Finlay.	Rice.
Frnka.	Robinson.
Graves.	Rowell.
Gray.	Runge.
Hagaman.	Sanford.
Hall.	Sheats.
Hoskins.	Simmons.
Jasper.	Smyth.
Jones.	Strong.
Kayton.	Tomme.
Kittrell.	Veatch.
Laird.	Webb.
Loftin.	Westbrook.
Mankin.	Williamson.
Masterson.	Woodruff.
McNatt.	Young.

Nays—39.

Acker.	Jacks.
Atkinson.	Kemble.
Baker of Orange.	Lane of Hamilton.
Bartlett.	McDougald.
Bean.	McGill.
Bobbitt.	Nicholson.
Boggs.	Pavlica.
Carter.	Petsch.
Conway.	Pool.
Covey.	Pope.
Cox of Lamar.	Powell.
Cox of Navarro.	Purl.
Cummings.	Rawlins.
Davis of Wood.	Rogers.
Florence.	Rowland.
Foster.	Stautzenberger.
Harman.	Taylor.
Harper.	Thompson.
High.	Wells.
Hollowell.	Wester.

Present—Not Voting.

DeBerry.	Sparks.
Justice.	Stout.
Lane of Harrison.	Wade.
McDonald.	Walker.
Smith of Nueces.	Wilson.

Absent.

Alexander	Durham.
of Limestone.	Faulk.
Avis.	Houston.
Barker.	Johnson.
Blount.	Kenyon.
Brown.	Lipscomb.
Coody.	Low.
Daniels.	McFarlane.
Davis of Dallas.	McKean.
Dielmann.	Shearer.
Dinkle.	Sinks.

Smith of Travis.	Storey.
Stell.	Teer.
Stevens.	Wallace.

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

HOUSE BILL NO. 147 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 147, A bill to be entitled "An Act to amend Article 3883, Revised Civil Statutes of Texas, fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 169 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 169, A bill to be entitled "An Act to amend Article 1121 of the Revised Statutes of the State of Texas, 1911, providing additional purposes for which corporations may be formed under the laws of Texas."

The bill was read second time and was passed to engrossment.

RELATING TO SALE OF STATE PROPERTY.

On motion of Mr. Smith of Travis, by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 11, Relating to sale of State property.

Resolved by the Senate, the House of Representatives concurring:

Whereas, Chapter 34 of the General Laws of the Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, known as House bill No. 27, provided that a commission composed of the Governor of the State of Texas, the Attorney General of Texas and the State Health Officer of the State of Texas should constitute a commission for the purpose of negotiating the sale

and delivery to the United States government of all State property owned and used by the State of Texas for quarantine purposes along the Gulf of Mexico and on the Mexican border of the Rio Grande, upon such terms as are more advantageous to the State of Texas; and

Whereas, Said commission was vested with power and authority to sell to the proper authorities of the United States all such property owned by the State of Texas and specifically authorized the Governor of the State to execute deeds and convey said property to the proper authorities of the United States government upon the receipt of the amount of money agreed upon; and

Whereas, Thereafter said commission, consisting of Hon. W. P. Hobby, former Governor of this State; C. M. Cureton, former Attorney General, and C. W. Goddard, former State Health Officer, together with J. H. White, as Surgeon General of the United States Public Health Service, and N. V. Perry, Construction Engineer of the United States Public Health Service, made an inventory of the properties belonging to and used by the State of Texas as quarantine properties, and appraised said property at the value of ninety thousand and seventy-one dollars (\$90,071); and

Whereas, The sale of said property has not been consummated and delivery made to the United States government, nor has the State of Texas collected any money for same, because it is understood that there has been much difficulty in trying to get the titles of the State of Texas to the property involved in such shape as to be acceptable to the authorities of the United States government; and

Whereas, These facts have been made known to us, and it is desirable and necessary on account of the conditions of the quarantine facilities along the Gulf of Mexico and the Mexican border of the Rio Grande that more adequate quarantine facilities be provided, and in the present situation the quarantine facilities are inadequate because the United States government has not been able to take over the properties, and it is necessary that the titles to said properties be straightened out and perfected; and

Whereas, The United States government has appropriated the sum of \$90,071 in money to pay for such property contemplated under said act to be sold by the State of Texas; therefore be it

Resolved by the Senate of the Thirty-ninth Legislature, the House of Representatives concurring, That a committee be appointed consisting of two members of the Senate and three members of the

House of Representatives, which committee shall have authority and is hereby employed to make a thorough investigation of the present situation with reference to the matters involved herein, with a view to expediting, if possible, the sale and delivery of said property to United States government authorities and to aid and assist the commission heretofore appointed to the consummation of said negotiations, which have been heretofore made, and to report back its findings to the Senate and House for their action; be it further

Resolved, That all expenses incurred by the members of this committee, or their representatives, for the necessary purposes of this resolution be paid out of the contingent fund.

The resolution was read second time and was adopted.

RELATING TO PROPOSED CHILD LABOR AMENDMENT.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 8, Relating to proposed child labor amendment.

Whereas, The Congress of the United States has, under the fifth Article of the Constitution of the United States, proposed an amendment to said Constitution, as Article 20, in the following words, to wit:

"Section 1. The Congress shall have power to limit, regulate and prohibit the labor of persons under eighteen years of age.

"Section 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give the effect to legislation enacted by the Congress; and

"Whereas, It is the purpose, intention and conclusion of the Legislature of the State of Texas that said proposed amendment should not be ratified, and should be rejected; therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, in regular session assembled, That the said proposed amendment to the Constitution of the United States be, and the same is, hereby in all things rejected, and ratification of said amendment is refused. Be it further

Resolved, That a certified copy of this resolution be forwarded by the Secretary of State of the State of Texas to the President of the United States and to the Secretary of State of the United

States at Washington, D. C., and the Secretary of State of the State of Texas is hereby authorized, requested and directed to return to the Secretary of State of the United States at Washington, D. C., the original document, or documents, heretofore received from the Secretary of State of the United States at Washington, D. C., by the Secretary of State at Austin, Texas, concerning, relating or referring to the proposed amendment to the Constitution of the United States known and described as Article 20, as above set forth in this resolution.

The resolution was read second time.

Mr. Williamson moved the previous question on the resolution and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—111.

Acker.	Graves.
Albritton.	Gray.
Alexander	Hagaman.
of Bastrop.	Hall.
Alexander	Harman.
of Limestone.	Harper.
Atkinson.	High.
Avis.	Hollowell.
Baker of Orange.	Hoskins.
Baker of Panola.	Jasper.
Barker.	Johnson.
Barron.	Jones.
Bartlett.	Justice.
Bean.	Kittrell.
Bedford.	Laird.
Bird.	Lane of Hamilton.
Blount.	Lane of Harrison.
Brown.	Loftin.
Chitwood.	Low.
Coffey.	Mankin.
Conway.	Masterson.
Coody.	McDonald.
Covey.	McDougald.
Cummings.	McFarlane.
Dale.	McGill.
Daniels.	McKean.
DeBerry.	Merritt.
Dielmann.	Montgomery.
Dinkle.	Moore.
Donnell.	Nicholson.
Downs.	Parish.
Dunn of Falls.	Pavlica.
Durham.	Perdue.
Enderby.	Petsch.
Faulk.	Poage.
Fields.	Pope.
Finlay.	Powell.
Florence.	Purl.
Foster.	Rawlins.
Frnka.	Renfro.

Rice.	Stout.
Robinson.	Strong.
Rogers.	Taylor.
Rowell.	Teer.
Rowland.	Thompson.
Runge.	Veatch.
Sanford.	Wade.
Shearer.	Walker.
Sheats.	Wallace.
Simmons.	Webb.
Sinks.	Wells.
Smith of Nueces.	Westbrook.
Smith of Travis.	Wester.
Smyth.	Williamson.
Sparks.	Wilson.
Stautzenberger.	Young.
Stell.	

Nays—16.

Bobbitt.	Davis of Wood.
Boggs.	Dunn of Hopkins.
Bryant.	Kayton.
Cade.	Kemble.
Carter.	McNatt.
Cox of Lamar.	Pool.
Cox of Navarro.	Tomme.
Davis of Dallas.	Woodruff.

Present—Not Voting.

Bateman.

Absent.

Houston.	Lipscomb.
Jacks.	Stevens.
Kenyon.	Storey.

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

Mr. Smith moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

Reasons for Vote.

I am heartily in accord with the policy of preventing the working children in industry, but the language of the proposed amendment is such that I am not willing to vote to surrender to Congress the powers of the State as would be done by ratification of the proposed amendment. Therefore, I vote yea on the motion to adopt the resolution.

WADE.

I vote against S. C. R. No. 8 because I think we should give the people of the

State a chance to consider and to be heard upon the question.

BRYANT.

Mr. Speaker: I voted "nay" on the resolution because I desired to have the question submitted to the people of Texas for their vote.

COX of Lamar.

I voted "nay" on S. C. R. No. 8 because I feel that this is a matter too important for the Legislature to decide, and that the question should be submitted to the people for their decision.

KEMBLE.

I vote "yea" on S. C. R. No. 8 because I am unalterably opposed to the Federal government absorbing any of the powers delegated to the sovereign States. I believe that Texas people and the Texas Legislature know best the wants of her people and that they are ready at all times to protect the childhood of our State with State laws, enforced by State officers, and without the aid of a centralized Federal government.

FINLAY.

HOUSE BILL NO. 80 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 80, A bill to be entitled "An Act to amend paragraph No. 4 of Article 1422, Title 17, Chapter 18, of the Penal Code of Texas, 1911, relating to swindling, making certain facts prima facie evidence, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Cummings pending.

Mr. McFarlane offered the following substitute for the amendment:

Amend by striking out everything below the enacting clause and inserting in lieu thereof the following:

"Section 1. That paragraph No. 4 of Article 1422, Title 17, Chapter 18, Penal Code of Texas (1911), relating to swindling, be amended so as to hereafter read as follows:

"4. The obtaining by any person of any money or other thing of value with intent to defraud by the giving or drawing of any check, draft or order upon any bank, person, firm or corporation, with which or with whom such person giving or drawing said check, draft or order has not at the time of the giving

or drawing said check, draft or order, or at the time when in the ordinary course of business such check, draft or order would be presented to the drawee for payment, sufficient funds to pay same. In a criminal prosecution under this provision of law, proof that any such person gave or drew any such check, draft or order, and payment upon same was refused on account of no funds, or insufficient funds, shall be prima facie evidence of the guilt of the defendant. Any person violating this subdivision of Article 1422 shall be guilty of a felony and upon conviction shall be punished by fine of not less than fifty dollars (\$50), nor more than two hundred dollars (\$200), or by confinement in the county jail for not less than thirty days, nor more than two years or by both such fine and imprisonment.

"Section 2. The fact that our present law is inadequate to prevent fraud and imposition in the giving of worthless checks, and that this measure is calculated to remedy this evil, creates an emergency and imperative public necessity, demanding the suspension of the constitutional rule requiring bills to be read on three several days in each house, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

(Mr. Wade in chair.)

Question then recurring on the substitute for the amendment, it was adopted.

(Speaker in the chair.)

Question next recurring on the amendment as substituted, it was lost.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 80 by striking out the words beginning on line 27 after the word "paid," "within ten days after the same is returned," and insert in lieu thereof the words "upon presentation."

Mr. Strong moved that further consideration of the bill be postponed indefinitely.

Yeas and nays were demanded and the motion to postpone was lost by the following vote:

Yeas—30.

Acker.
Albritton.
Barker.
Bedford.
Cade.

Cox of Navarro.
Cummings.
Dinkle.
Enderby.
Gray.

Hagaman.	McKean.
Hall.	McNatt.
Hollowell.	Pavlica.
Jasper.	Sheats.
Johnson.	Simmons.
Jones.	Stell.
Lane of Harrison.	Strong.
Lipscomb.	Thompson.
Low.	Wade.
Mankin.	Webb.

Nays—79.

Alexander	Kayton.
of Bastrop.	Kemble.
Alexander	Laird.
of Limestone.	Loftin.
Atkinson.	McFarlane.
Avis.	McGill.
Baker of Orange.	Merritt.
Baker of Panola.	Montgomery.
Barron.	Moore.
Bartlett.	Nicholson.
Bateman.	Parish.
Bean.	Perdue.
Bobbitt.	Petsch.
Boggs.	Poage.
Brown.	Pope.
Bryant.	Powell.
Conway.	Rawlins.
Coody.	Renfro.
Covey.	Rice.
Dale.	Robinson.
Daniels.	Rogers.
Davis of Dallas.	Rowell.
Davis of Wood.	Rowland.
DeBerry.	Runge.
Dielmann.	Sanford.
Donnell.	Sinks.
Downs.	Smith of Travis.
Dunn of Falls.	Sparks.
Dunn of Hopkins.	Stautzenberger.
Durham.	Stout.
Faulk.	Taylor.
Fields.	Teer.
Finlay.	Tomme.
Florence.	Veatch.
Foster.	Walker.
Frnka.	Wallace.
Graves.	Wells.
Harman.	Wester.
Harper.	Williamson.
High.	Wilson.
Hoskins.	Young.
Justice.	

Present—Not Voting.

Chitwood.	McDonald.
Coffey.	

Absent.

Bird.	Kittrell.
Blount.	Lane of Hamilton.
Carter.	Masterson.
Cox of Lamar.	McDougald.
Houston.	Pool.
Jacks.	Purl.
Kenyon.	Shearer.

Smith of Nueces.	Storey.
Smyth.	Westbrook.
Stevens.	Woodruff.

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

On motion of Mr. Petsch the amendment by Mr. Wallace was tabled.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 80, page 1, line 27; strike out word "ten" and insert "five."

The amendment was lost.

Mr. Wilson offered the following amendment to the bill:

Amend Section 1 of House bill No. 80 by striking out all of the balance of Section 1, commencing with the word "provided," line 24.

On motion of Mr. McFarlane the amendment was tabled.

House bill No. 80 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 80.

Mr. McFarlane moved that the constitutional rule providing bills to be read on three several days be suspended and that House bill No. 80 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—82.

Atkinson.	DeBerry.
Avis.	Dielmann.
Baker of Orange.	Dinkle.
Baker of Panola.	Donnell.
Barron.	Downs.
Bartlett.	Dunn of Falls.
Bateman.	Dunn of Hopkins.
Bean.	Durham.
Bobbitt.	Enderby.
Bonham.	Faulk.
Bryant.	Fields.
Coffey.	Finlay.
Conway.	Florence.
Coody.	Frnka.
Cox of Lamar.	Graves.
Cox of Navarro.	Gray.
Dale.	Harman.
Daniels.	Harper.
Davis of Dallas.	High.
Davis of Wood.	Hoskins.

Justice.	Purl.
Kayton.	Rawlins.
Laird.	Renfro.
Lane of Hamilton.	Rice.
Lane of Harrison.	Robinson.
Loftin.	Rogers.
Mankin.	Runge.
McFarlane.	Shearer.
McGill.	Simmons.
McKean.	Sinks.
McNatt.	Smith of Nueces.
Merritt.	Smith of Travis.
Montgomery.	Smyth.
Moore.	Taylor.
Nicholson.	Teer.
Pavlica.	Veatch.
Perdue.	Wallace.
Petsch.	Westbrook.
Poage.	Wester.
Pool.	Williamson.
Pope.	Young.
Powell.	

Nays—32.

Albritton.	Kittrell.
Alexander	Lipscomb.
of Bastrop.	Rowland.
Barker.	Sanford.
Bedford.	Sheats.
Bird.	Sparks.
Boggs.	Stautzenberger.
Cade.	Stell.
Chitwood.	Stout.
Covey.	Strong.
Cummings.	Thompson.
Hagaman.	Tomme.
Hall.	Wade.
Hollowell.	Walker.
Jacks.	Webb.
Jasper.	Woodruff.
Jones.	

Present—Not Voting.

Acker. Wilson.

Absent.

Alexander	Low.
of Limestone.	Masterson.
Blount.	McDonald.
Brown.	McDougald.
Carter.	Parish.
Foster.	Rowell.
Houston.	Stevens.
Johnson.	Storey.
Kemble.	Wells.
Kenyon.	

Absent—Excused.

Amsler.	Kinnear.
Dunlap.	Maxwell.
Farrar.	McBride.
Hull.	Pearce.
Irwin.	Raymer.
Jordan.	Simpson.
King.	Stevenson.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 50, to the Committee on School Districts.

Senate bill No. 84, to the Judiciary Committee.

INVESTIGATING COMMITTEE IN REGARD TO SALE OF STATE PROPERTY.

The Speaker announced the appointment of the following committee as provided for in Senate Concurrent Resolution No. 11:

Messrs. Bobbitt, Smith of Travis and Nicholson.

BILLS ORDERED NOT PRINTED.

On motion of Mr. DeBerry the following bills were ordered not printed:

House bills Nos. 181, 196, 201, 209.

BILL RE-REFERRED.

On motion of Mr. Purl, House bill No. 230 was withdrawn from the Committee on Public Lands and Buildings and referred to the Committee on Military Affairs.

ADJOURNMENT.

On motion of Mr. Laird, the House, at 5:10 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Education—House bill No. 100.

Conservation and Reclamation—House bill No. 4.

State Affairs—House bills Nos. 134, 191, 189.

Judiciary—House bills Nos. 90, 79, 89, 222, 188, 177, 174, 219.

Judicial Districts—House bills Nos. 57, 78.

School Districts—House bills Nos. 196, 201, 209, 181.

Liquor Traffic—House bill No. 207.

Revenue and Taxation—House bill No. 75.

The following committees have today filed adverse reports on bills as follows:

Public Health—House bill No. 41.
 Judiciary—House bill No. 225.
 State Affairs—House bill No. 61.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
 Austin, Texas, January 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 122, A bill to be entitled "An Act validating the proceedings of the county school trustees of Jim Wells county in changing the boundaries of Alice Independent School District in said Jim Wells county and validating all proceeding had with respect to levying a tax of \$1 upon the \$100 valuation of all the taxable property in said school district and validating all proceedings had with reference to the issuance of \$75,000 of school building bonds and authorizing their issuance and repealing all laws in conflict, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,
 Austin, Texas, January 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 2, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and Weights and Measures Department, conferring all authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor, Commissioner of Agriculture, and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Banking and Insurance Commissioner, relative to warehouses, upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature, conferring powers and au-

thority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapters 116 and 126 of the General Laws, Regular Session of the Thirty-sixth Legislature, and such powers and duties as are conferred upon the Commissioner of Markets and Warehouses by Chapter 22, Acts of the Regular Session of the Thirty-seventh Legislature, and Chapter 38, Acts of the Second Called Session of the Thirty-eighth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, authorizing said Commissioner to rearrange salaries and eliminate duplicating offices or positions, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,
 Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 150, A bill to be entitled "An Act creating and incorporating the New Home Independent School District, in Lynn county, Texas, out of territory now comprising the New Home Common School District No. 12, in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said New Home Common School District No. 12, especially validating the bond election held in said New Home Common School District No. 12, and all orders in pursuance thereof, said election being held on the fifth day of July, A. D. 1924, making the bonds issued in pursuance of said election valid and binding and indebtedness by the New Home Independent School District; validating and continuing in force all taxes and bonds heretofore issued or ordered issued and voted, and all taxes and bonds that are now in force in said district; providing that the title to all property in said ter-

ritory be divested out of the New Home Common School District No. 12 and vested in New Home Independent School District as created by this act; providing for the election and terms of office of trustees of said district, and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict therewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 116, A bill to be entitled

"An Act authorizing owners of oil and gas permits and leases issued on University land to sell and transfer same as a whole or in tracts not less than 40 acres except in certain cases,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, January 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 12, A bill to be entitled "An Act authorizing the Rio Grande & Eagle Pass Railway Company to abandon Minera Station, the western terminal of said railway in Webb county, Texas, and 8000 feet of the main line track immediately southeast thereof, and, to take up and remove all tracks, bridges and culverts within the area, and creating an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

In Memory
of
Mrs. Chas. G. Thomas

Mr. Teer offered the following resolution:

With profound sorrow we have just learned of the death of Mrs. Chas. G. Thomas, the wife of Hon. Chas. G. Thomas, of Lewisville, Texas, who served with distinguished ability as a member of the House of Representatives of the Thirty-fifth and Thirty-sixth Legislatures, and as Speaker of the Thirty-seventh, which occurred today.

We, who had the pleasure of knowing Mrs. Thomas, during the time that her husband was a member and Speaker of this body, learned to love her for her noble qualities of womanhood, and her fine Christian character. Therefore, be it

Resolved, That we tender to our former member and beloved friend our sincere and deep sympathy in his irreparable loss, assuring him that our hearts beat in sympathy with him in this, the greatest sorrow of his life. Be it further

Resolved, That when the House adjourns today it do so in honor of her memory, that a page of the Journal be set aside as a tribute of respect to the departed, and an enrolled copy of this resolution, signed by the Speaker and Chief Clerk, be sent the family.

TEER, Chairman.
WALLACE.
HALL.
BARKER.
ALEXANDER.
DAVIS of Dallas.

The resolution was read second time and was adopted by a rising vote.